



16569 U.S. PTO

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Date: April 2, 2004

Docket No.: 0459-0741PUS2

## MS PATENT APPLICATION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a Request for filing a ☒ continuation ☐ divisional ☐ continuation-in-part application under 37 C.F.R. § 1.53(b) of pending prior Application No. 10/430,507 filed on May 5, 2003, the entire contents of which are hereby incorporated by reference, by

Morten Sloth WEIDNER

for

CHEMICAL COMPLEX COMPRISING A PYRIDINE CARBOXY DERIVATIVE AND AN H2 RECEPTOR ANTAGONIST

1. ☒ Enclosed is an application consisting of specification, claims, declaration and drawings/photographs (if applicable).
2. ☒ The filing fee has been calculated as follows:

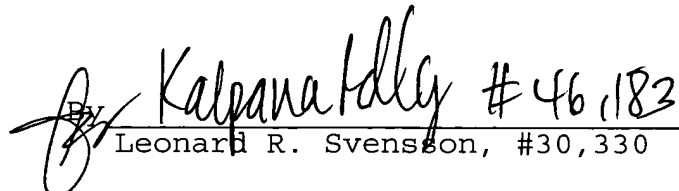
|   |                 | LARGE ENTITY  | SMALL ENTITY  |
|---|-----------------|---------------|---------------|
| BASIC FEE   |                 | \$770.00      | \$385.00      |
| NUMBER<br>FILED   | NUMBER<br>EXTRA | RATE      FEE | RATE      FEE |
| TOTAL<br>CLAIMS   |                 | x 18 = \$0.00 | x 9 =         |
| INDEPENDENT<br>CLAIMS   | =      0        | x 86 = \$0.00 | x43 = \$0.00  |
| <input type="checkbox"/> MULTIPLE DEPENDENT<br>CLAIMS PRESENTED |                 | + \$290.00    | + \$145.00    |
| TOTAL   |                 | \$0.00        | \$0.00        |

3. ☐ A check in the amount of \$0.00 to cover the filing fee and recording fee (if applicable) is enclosed.
4. ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.
5. ☐ Enclosed is/are \_\_\_\_\_ (\_\_\_\_) sheet(s) of formal drawings and/or photographs.
- 6a. ☐ A statement claiming small entity status was filed in prior Application No. on \_\_\_\_\_. See the attached copy of the statement claiming small entity status.
- 6b. ☒ The current application qualifies for small entity status.
7. ☒ The prior application is assigned to Astion Development ApS.
8. ☐ A Preliminary Amendment is enclosed.
- 9a. ☒ Priority of Application No. PA2000 00467 filed in Denmark on March 21, 2000 is claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on April 10, 2001. Priority is also reclaimed to U.S. Patent Application No. 10/430,507, filed on May 5, 2003, U.S. Patent Application No. 09/813,719, filed March 21, 2001, the and U.S. Provisional Patent No. 60/191,690, filed on March 23, 2000.

- 9b. ☐ Priority of International Appln. \_\_\_\_\_ filed on \_\_\_\_\_  
under the Patent Cooperation Treaty and \_\_\_\_\_  
Application No. \_\_\_\_\_ filed in \_\_\_\_\_ on \_\_\_\_\_ under 35  
U.S.C. § 120 and/or § 119 are hereby reclaimed.
10. ☒ An Information Disclosure Statement and PTO-1449  
form(s) are attached hereto for the Examiner's  
consideration.
11. ☒ Address all future communications to:  
  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000  
  
or  
Customer No. 02292
12. ☒ An extension of time for three (3) month(s) until April  
3, 2004 has been submitted in parent Application No.  
10/430,507 in order to establish co-pendency with the  
present application.
13. ☒ Also enclosed herewith is the following:  
  
Express Mail Certificate-EV286058867  
  
\_\_\_\_\_  
  
\_\_\_\_\_

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

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\_\_\_\_\_  
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LRS/KR/sml  
0459-0741PUS2

Attachment(s)

(Rev. 02/13/2004)

MS PATENT APPLICATION

PATENT

0459-0741PUS

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: WEIDNER Conf.:  
Appl. No.: NEW Group: 1614  
Filed: April 2, 2004 Examiner: ROBINSON, B.M.  
For: CHEMICAL COMPLEX COMPRISING A PYRIDINE  
CARBOXY DERIVATIVE AND AN H2 HISTAMINE  
RECEPTOR ANTAGONIST

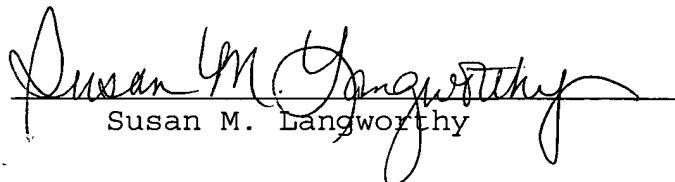
EXPRESS MAIL CERTIFICATE

DATE DEPOSITED: April 2, 2004

I hereby certify that the enclosed Continuation Application is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to MS PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Express Mail Label No.: EV 286058867 US

Date: April 2, 2004

  
Susan M. Langworthy

Mailing Address:

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(Rev. 04/30/03)